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Selected Victim Related Bills That Passed

HB 251 Adult Fatality Review Team; created, report.

Amends §§ 2.2-3705.5 and 63.2-1606 and adds a section numbered 32.1-283.5, relating to the Adult Fatality Review Team.

Establishes the Adult Fatality Review Team to review suspicious deaths of any incapacitated adult aged 18 or older and any adult aged 60 or older (i) who was the subject of an adult protective services investigation, (ii) whose death was due to abuse or neglect or acts that suggest abuse or neglect, or (iii) whose death came under the jurisdiction of the Office of the Chief Medical Examiner pursuant to § 32.1-283. The bill sets forth duties, membership, confidentiality, reporting, and other requirements for the team. The bill also creates a Freedom of Information Act exemption for information and records acquired during a review of any death conducted by a family violence fatality review team or during a review of any adult death conducted by the adult fatality review team to the extent made confidential by state law.

Patrons: O'Bannon, Athey, Bell, Carrico, Gilbert and Sherwood

HB 586 Appellate court; remand of bail appeal.

Amends § 19.2-319

Allows the Supreme Court or Court of Appeals to remand an appeal of denial of bail to circuit court for such further action regarding bail as the appellate court directs. Currently the appellate court is limited to setting bail after overruling the denial. This is a recommendation of the Judicial Council. This bill is identical to SB 225.

Patron: Marsden

HB 597 Marriage, subsequent; effect thereof to child over 14 years of age.

Amends §§ 18.2-371 and 20-48 and repeals § 18.2-66

This bill repeals § 18.2-66 of the Code of Virginia that provides a defense to a charge of carnal knowledge of a minor when the offense involves a minor, 14 years of age or older, and there is subsequent marriage of the victim and the perpetrator. Reference to the repealed section is also eliminated from § 20-48. This is a Governor's bill and was recommended by the Commission on Sexual Violence. (See also SB608)

Patron: McClellan

HB 713 Protective orders, preliminary; court to extend if respondent fails to appear at hearing.

Amends § 19.2-152.9

This bill allows the court to extend a stalking preliminary protective order for a period of up to six months, if the respondent fails to appear at the hearing because he was not personally served. The proposed language mirrors subsection B of § 16.1-253.1, relating to preliminary protective orders in family abuse cases.

Patron: Janis

HB 715 Arrest; resetting of bail or amending bail set.

Amends § 19.2-130

When the court having jurisdiction of a bail proceeding believes the amount of bond or security set by a judicial officer at initial arrest to be inadequate or excessive, it may after notice to the parties, change the amount of such bond or security, require new and additional sureties, or set other terms of bail as are appropriate to the case, including, but not limited to, drug and alcohol monitoring. Currently, the court is limited to increasing the initial bail and may not impose additional bail requirements such as alcohol and drug monitoring. This bill is identical to SB 506.

Patron: Janis

HB 719 Underage drinking and driving; penalty.

Amends § 18.2-266.1

Provides that "zero tolerance" (0.02% BAC) underage drinking and driving is punishable as a Class 1 misdemeanor. Currently, the punishment is loss of license for six months and a fine of no more than \$500. This bill provides for forfeiture of such person's license to operate a motor vehicle for a period of one year from the date of conviction and either a mandatory minimum fine of \$500 or 50 hours of community service. The bill has a sunset date of July 1, 2010, and provides that the Department of Criminal Justice Services will report to the Chairmen of the House and Senate Committees for Courts of Justice on the bill's effect on Virginia's participation under the federal Juvenile Justice and Delinquency Prevention Act.

Patrons: Janis, Athey, Cole, Crockett-Stark, Hugo, Massie, Merricks and Sherwood

HB 753 Virginia Criminal Information Network (VCIN); protective order information sent thereto, expiration.

Amends § 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, 19.2-152.10, and 19.2-390

Provides that when a protective order is issued, the district court must, no later than the end of the business day on which the order was issued, enter identifying information in the Virginia Criminal Information Network (VCIN) system. If the order is issued by the circuit court, the primary law-enforcement agency to which the order was forwarded by the clerk of the court must enter the name of the person subject to the order and other appropriate information into VCIN. Upon entry of the order, a copy of the order and an addendum containing identifying information must be forwarded forthwith to the primary law-enforcement agency responsible for service. Upon effecting service, the agency must enter the date and time of service into VCIN. If an entering agency determines that any identifying information is incorrect, it must enter the corrected information into VCIN. The bill also establishes the precise time when protective orders expire so that they can automatically be cleared from VCIN. The bill also requires, with some exceptions, that clerks make electronic reports of certain proceedings or adjudications to the Central Criminal Records Exchange and defines the term "electronic report." This bill is identical to SB 540.

Patrons: Peace, Crockett-Stark, McClellan and Sherwood

HB 844 Crimes Against Minors and Sex Offender Registry; use of data by SAVIN.

Amends the Code of Virginia by adding in Chapter 9 of Title 9.1 a section numbered 9.1-922, relating to the Crimes Against Minors and Sex Offender Registry.

Allows the State Police to provide the Statewide Automated Victim Notification (SAVIN) system with Registry data in an electronic format to the Compensation Board for verification of registrant status and notification of victims and law enforcement. This bill is identical to SB 74.

Patron: Sherwood

HB 903 Magistrates; reforms system by transferring appointment and supervisory responsibilities.

Amends §§ 3.1-383, 3.1-796.93:1, 3.1-796.116, 3.1-796.126:10, 8.01-126, 8.01-537, 8.01-540, 15.2-1704, 15.2-1710, 16.1-135, 19.2-5, 19.2-34 through 19.2-39, 19.2-43, 19.2-44, 19.2-45, 19.2-46, 19.2-46.1, 19.2-48, 19.2-48.1, 19.2-77, 19.2-81.3, 19.2-119, 19.2-152.4:3, 20-70, 20-84, 27-32, 27-32.1, 27-32.2, 27-37.1, 37.2-808, 37.2-809, 37.2-1103, 37.2-1104, 43-29, 46.2-104, 49-6, 55-205, 55-230, 59.1-98, and 59.1-106. Repeals §§ 19.2-30 and 19.2-41.

Reforms the magistrate system by transferring appointment and supervisory responsibilities from the circuit court judges to the Executive Secretary of the Supreme Court, although the chief judges of the circuit courts in the region are to be consulted regarding appointments. Magistrates initially-appointed on or after July 1, 2008, must have a bachelor's degree from an accredited college and persons appointed chief magistrates on or after July 1, 2008, are required to be members in good standing of the Virginia State Bar. No magistrate initially appointed on or after July 1, 2008, may practice law. No

magistrate may engage in any other business without the approval of the Executive Secretary. Magistrates will have to serve an initial nine-month probationary period (currently, six months), complete a minimum training program and pass a certification exam. The bill broadens magistrates' geographical assignment from within a particular judicial district to regions established by the Executive Secretary. The remainder of the bill makes technical amendments replacing "justice of the peace" with magistrate" and removes references to magistrates serving only within a particular jurisdiction or district. This bill is identical to SB244.

Patrons: Putney, Ingram, Kilgore and Phillips

HB 934 Jail inmates; no parole for those convicted of multiple misdemeanors & sentenced more than 12 month.

Amends § 53.1-153

Eliminates parole for a jail inmate whose misdemeanor offenses are committed on or after July 1, 2008. Currently, jail inmates sentenced to serve more than 12 months in jail for a combination of misdemeanor offenses are eligible for parole.

Patrons: Gilbert and Cline

HB 956 Criminal Injuries Compensation Fund; physical evidence recovery kit examinations reimbursements.

Amends §§ 19.2-165.1, 19.2-368.3, and 19.2-368.11:1

This bill indicates that the Criminal Injuries Compensation Fund (CICF) can pay health care providers directly for the costs of performing the physical evidence recovery kit (PERK) examinations used in cases of sexual assault. The bill is intended to reduce trauma to sexual assault victims, while streamlining and improving the collection of forensic evidence in cases of sexual assault. The bill is essentially intended to clarify that if a forensic exam is requested, it will be conducted and paid for by the Commonwealth. Under the federal Violence Against Women Act, (VAWA, see 42 U.S.C. §§ 3796gg- through 3796gg-5), states must certify that sexual assault victims are not required to participate in the criminal justice system or cooperate with law enforcement in order to be provided with forensic medical exams or payment for those exams. This bill demonstrates Virginia's compliance with VAWA and helps to ensure that Virginia will continue to be eligible to receive approximately \$2.5 - \$3 million annually in federal VAWA funding. This is a Governor's bill and was recommended by the Governor's Commission on Sexual Violence (see also SB312).

Patrons: Miller, P.J., Shannon, McClellan, Moran, Poisson and Ward

HB 965 Victims Compensation Fund; amends definition to include stalking victims.

Amends § 19.2-368.2

This bill makes victims of misdemeanor stalking eligible to receive awards from the Criminal Injuries Compensation Fund (CICF). Victims of felony stalking are currently eligible.

Patrons: Shannon, McClellan, Moran and Poisson

HB 1005 Higher educational institutions; notification to parent of mental health treatment for student.

Amends § 23-9.2:3

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the notification of a parent of a dependent student when such student receives mental health treatment at the institution's student health or counseling center and it has been determined that there exists a substantial likelihood that, as a result of mental illness the student will, in the near future, (i) cause serious physical harm to himself or others as evidenced by recent behavior or any other relevant information or (ii) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs. This bill incorporates HB 671 (Marshall, R.G.) and HB 1251 (Fralin).

Patrons: Bell, Albo, Athey, Carrico, Cole, Cosgrove, Fralin, Gilbert, Lingamfelter, Lohr, Massie, Merricks, Morgan, Nutter, Peace, Rust, Scott, E.T., Sherwood and Shuler

HB 1043 Polygraph; no sexual offense victim shall be requested to submit for investigation to proceed.

Amends § 19.2-9.1

This bill provides that no law-enforcement officer, attorney for the Commonwealth, or other government official shall ask or require a victim of a sex offense to submit to a polygraph or other truth-telling device as a condition for proceeding with the investigation of the offense and that the refusal of a victim to submit to a polygraph, etc. shall not prevent the investigation, charging or prosecution of the offense. Additionally, the bill provides that if a victim of sexual assault is asked to take a polygraph examination, such a victim must be informed, in writing, that 1) the exam is voluntary, ii) the results are inadmissible as evidence, iii) agreement to take the exam shall not be the sole condition for initiating or continuing the investigation, and iv) refusal to take the exam shall not prevent the investigation, charging, or prosecution of the offense. This is a Governor's bill and was recommended by the Governor's Commission on Sexual Violence (See also SB164; Lucas).

Patrons: Watts, Marsden, Mathieson, McClellan, Poisson, Shannon and Sherwood; Senators: Houck, Howell and Puller

HB 1058 Higher educational institutions; release of educational records.

Amends § 23-9.2:3

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the release of a student's educational record if the parent requesting the record claims the student as a dependent.

Patrons: Amundson, Albo and Watts; Senator: Saslaw

HB 1179 Assault & battery; admission to bail person committing second or subsequent offense against family.

Amends § 19.2-120

Adds a presumption, subject to rebuttal, against admitting to bail any person who is arrested for felony assault and battery against a family or household member.

Patron: Lingamfelter

HB 1207 Serious juvenile offenders; those convicted as an adult to gain earned sentence credits.

Amends §§ 16.1-272, 53.1-202.2, and 53.1-202.3

Allows a juvenile convicted as an adult and sentenced to an active term of incarceration with the Department of Juvenile Justice and followed by an active term of incarceration with the Department of Corrections to gain earned sentence credits while serving the juvenile portion of the sentence in a juvenile correctional center.

Patron: Melvin

HB 1311 Credit reports; authorizes consumer to freeze access thereto.

Amends the Code of Virginia by adding in Title 59.1 a chapter numbered 35.1, consisting of sections numbered 59.1-444.1 and 59.1-444.2, relating to security freezes.

Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain

disclosures are exempt from the freeze. A fee of up to \$10 may be charged for establishing or lifting a freeze, except identity theft victims are not required to pay a fee except for a temporary lifting of the freeze within 15 minutes of receipt of certain electronic requests. A person who willfully fails to comply with the requirements is liable to a consumer for actual damages of between \$100 and \$1,000, punitive damages, and reasonable attorney fees. A person who negligently fails to comply with the requirements is liable to a consumer for actual damages and reasonable attorney fees. The Attorney General is authorized to take enforcement action. Willful violations are subject to a civil penalty of not more than \$1,000. SB 576 is identical.

Patrons: Byron, Abbitt, Amundson, Athey, Bell, Brink, Caputo, Cole, Cosgrove, Dance, Englin, Frederick, Gilbert, Hugo, Iaquinto, Janis, Jones, S.C., Kilgore, Landes, Lohr, Marsden, Marshall, D.W., Massie, McClellan, Merricks, Moran, Morgan, Nixon, Nutter, O'Bannon, Peace, Putney, Rust, Scott, J.M., Shannon, Sherwood, Ware, R.L., Watts and Wright; Senator: Saslaw

HB 1395 Sexual assault; Dept. of State Police, etc. establish policies for responding to crimes involving.

Amends § 9.1-102, adds in Title 9.1 a chapter numbered 13, consisting of sections numbered 9.1-1300 and 9.1-1301; and to repeals § 19.2-81.4 of the Code of Virginia.

This bill requires that the Department of State Police and local law enforcement agencies, including campus police departments, establish written policies and procedures regarding response to incidents involving sexual assault. The Department of Criminal Justice Services (DCJS) is directed to provide law enforcement agencies with technical support and assistance in developing the policies and procedures. DCJS is also required to submit a report on the status of implementation of these requirements to the chairmen of the House and Senate Courts of Justice Committees by December 1, 2009. (See also SB786; Deeds)

Patrons: Bell, Athey, Cole, Kilgore, Lingamfelter, Massie, Merricks and Sherwood

HB 1442 Ignition interlock limitations; persons with restricted license not to operate certain vehicles.

Amends § 18.2-270.

Requires the implementation of ignition interlock for a violation of the conditions of a restricted license. The bill has an effective date of October 1, 2008.

Patron: Iaquinto

HJ 113 Juvenile justice system; State Crime Commission to continue its study.

Directs the Commission to continue its study of juvenile justice. The Commission, in continuing its study of the juvenile justice system in the Commonwealth pursuant to House Joint Resolution 136 (2006), shall also (i) review the severity of offenses committed by juveniles in the Commonwealth; (ii) evaluate the effects on the learning environment and educational process, particularly for other students, when juvenile offenders are returned to the public school classroom; (iii) identify and examine more effective methods of rehabilitating juveniles, particularly juveniles who commit serious offenses; and (iv) recommend such changes as the Commission may deem necessary to provide a more effective juvenile justice system. This resolution incorporates HJ 160 (Phillips).

Patron: Moran

SB 173 Domestic violence cases; retention of records.

Amends §§ 16.1-69.55 and 17.1-213

Provides that records in cases involving misdemeanor convictions for (i) assault and battery against a family or household member, or (ii) violating a protective order shall be retained for 20 years. A third conviction for these crimes within 20 years is a felony, however, currently, such records are only required to be retained for 10 years.

Patron: Blevins

SB 241 School employees; school board to develop policies to address complaints of sexual abuse thereby.

Amends §§ 22.1-253.13:7, 22.1-298.1, 22.1-313, and 63.2-1503 of the Code of Virginia, and adds a section numbered 19.2-291.1, relating to certain crimes committed by persons holding licenses issued by the Board of Education.

Requires the court clerks to notify the Superintendent of Public Instruction when a person licensed by the Board of Education is convicted of a felony drug crime or a felony sex crime involving a child victim. The bill also requires (i) local school boards to develop policies and procedures to address complaints of sexual abuse of a student by a teacher or other school board employee; (ii) the Board of Education to include requirements for the denial, suspension, cancellation, revocation, and reinstatement of licensure in its regulations; (iii) notification by the local school board to the Board of Education when a licensed employee of a school board is dismissed or resigns because of certain criminal convictions or a founded child abuse or neglect case; (iv) notification by the local department of social services to the Superintendent of Public Instruction when the subject of a founded complaint of child abuse or neglect is known to hold a license from the Board of Education; and (v) the Board of Education to revoke the license of any person who has resigned because he has been convicted of a felony, sex offense, drug offense or because he is the subject of a founded case of child abuse or neglect.

Patron: Lucas

SB 315 Children's Ombudsman, Office of; created, report.

Amends the Code of Virginia by adding in Article 6 of Chapter 2 of Title 2.2 sections numbered 2.2-214.2, 2.2-214.3, and 2.2-214.4, relating to the Office of the Children's Ombudsman.

Creates the Office of the Children's Ombudsman to provide ombudsman services, including investigation of complaints, advocacy, and the provision of information for children, parents, and citizens involved with child-serving agencies. The bill is identical to HB 1131.

Patrons: Edwards and Houck; *Delegate:* Brink

SB 439 Human immunodeficiency virus, etc.; testing of persons charged with crime against women.

Amends § 18.2-62

This bill was introduced at the request of the Attorney General and is intended to enable Virginia to comply with HIV testing requirements contained in the federal Violence Against Women Act (VAWA). Currently, Virginia law does not allow HIV testing to be done, at victim request, until after the offender's conviction. VAWA requirements include testing, at victim request, within 48 hours of indictment, appropriate follow up testing, and notice of test results. This bill makes the criminal justice process more responsive to victims' interests by authorizing testing, at victim request, following indictment, arrest by warrant, or service of a petition in the case of a juvenile. This bill brings Virginia into substantial compliance with VAWA requirements and enables Virginia to avoid consequences of non-compliance which would have included a reduction VAWA funding.

Patron: Vogel

SB 623 Illegal aliens; presumption of no bail for those charged with certain crimes.

Amends the Code of Virginia by adding a section numbered 19.2-120.1, relating to presumption of no bail for illegal aliens charged with certain crimes.

Provides that a judicial officer shall presume, subject to rebuttal, that no condition or combination of conditions will reasonably assure the appearance of the person or the safety of the public if (i) the person is currently charged with an offense listed in subsection A of § 19.2-297.1 (acts of violence), subsection C of § 17.1-805 (acts of violence), any offense under Chapter 4 (§ 18.2-30 et seq.) of Title 18.2 (crimes against the person) except any offense under subsection A of § 18.2-57.2, any felony offense under Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 (drug offenses), or any offense under Articles 2 (§ 18.2-266 et seq.), 4 (§ 18.2-279 et seq.), 5 (§ 18.2-288 et seq.), 6 (§ 18.2-299 et seq.), or 7 (§ 18.2-308 et seq.) of Chapter 7 of Title 18.2 (crimes involving health and safety), and (ii) the court determines that the person is illegally present in the United States. This presumption shall not exist unless the United States Immigration and Customs Enforcement has guaranteed that, in all such cases in the Commonwealth, it will issue a detainer for the initiation of removal proceedings and agrees to reimburse for the cost of incarceration from the time of the issuance of the detainer. This bill incorporates SB 183, SB 733, and SB 152. This bill is identical to HB 440.

Patrons: Stolle; Delegate: Moran

SB 764 Address confidentiality for victims of domestic violence; program expanded.

Amends § 2.2-515.2

Expands the address confidentiality for victims of domestic violence program currently implemented in the County of Arlington to the Counties of Albemarle, Augusta, Dickenson, Fairfax, Henry, Lee, Rockbridge, Russell, Scott, Washington, and Wise as well as the Cities of Buena Vista, Charlottesville, Lexington, Martinsville, Norfolk, and Roanoke. The bill also provides that an applicant to the program may apply in person at a domestic violence program, which is defined as a public and not-for-profit agency the primary mission of which is to provide services to victims of sexual or domestic violence. Currently, such applications are made directly to the Office of the Attorney General.

Patrons: Ticer, Locke, Lucas, Puller and Whipple

SB 772 Conditions of bond; court may bar person in elected office from returning to constitutional office.

Amends § 19.2-123

Allows the court to bar a person who holds an elected office of public trust and who is accused of a felony arising from the performance of his duties from returning to his workplace as a condition of bail.

Patrons: Hurt; Delegates: Marshall, D.W. and Merricks

Selected Victim Related Bills That Failed

HB 232 Magistrates; power to issue felony arrest warrants.

Amends §§ 19.2-45, 19.2-71, and 19.2-72

Provides that no magistrate may issue an arrest warrant upon the basis of a citizen complaint, for a felony offense, without prior authorization from the attorney for the Commonwealth or from a law-enforcement agency in his jurisdiction, unless the person who is to be issued the warrant has already been placed under arrest by a law-enforcement officer.

Patron: Cosgrove

02/12/08 House: Left in Courts of Justice

HB 281 Protective orders; possession of firearms.

Amends § 18.2-308.1:4

Prohibits a person subject to a protective order from possessing a firearm. Currently, persons subject to such orders are prohibiting from purchasing and transporting firearms. (See also HB608).

Patron: Toscano

02/12/08 House: Left in Militia, Police and Public Safety

HB 574 Child sexual offenses; creates number of new crimes labeled indecent liberties with children.

Amends the Code of Virginia by adding a section numbered 18.2-370.02

Creates a number of new crimes labeled "indecent liberties with children" that mirror, and expand upon, existing offenses but with new victim age classifications and specific offender classifications. The bill also provides that any person who is convicted of such an offense and was previously convicted of such an offense or of any offense set forth in subsection B of § 18.2-67.5:2 (felony sexual assaults) shall upon conviction be sentenced to the maximum term authorized for the offense and shall not have all or any part of his sentence suspended.

Patron: Watts

02/12/08 House: Left in Appropriations

HB 814 Protective orders; to include information on whether or not respondent possesses firearm.

Amends §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, 19.2-152.10, and 20-103

Provides that protective orders of all types shall include information on whether or not the respondent possesses a firearm.

Patron: Ward

02/12/08 House: Left in Militia, Police and Public Safety

HB 1169 Misdemeanor and felony fees; increases fixed fees.

Amends §§ 16.1-69.48:1, 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8, and 17.1-275.9

Increases the felony and misdemeanor fixed fees by \$3. The increase will go to the Virginia Crime Victim-Witness Fund, which is a nonreverting fund administered by the Department of Criminal Justice Services to support victim and witness programs.

Patron: Cosgrove

02/12/08 House: Left in Courts of Justice

HB 1209 Criminal case; deferred disposition.

Amends § 19.2-303.4 of the Code of Virginia and adds a section numbered 19.2-303.5, relating to ability of a court to defer disposition.

Allows a court to defer disposition in, and discharge and dismiss, any criminal case. Currently, discharge and dismissal is available only for certain crimes and with specific conditions. (See also HB553, Griffith; HB1336, Barlow)

Patron: Melvin

01/21/08 House: Continued to 2009 in Courts of Justice

HB 1285 Protective orders; transport of firearms by certain law-enforcement officers.

Amends § 18.2-308.1:4

Allows, at the discretion of the sheriff or chief law-enforcement officer, a law-enforcement officer subject to a protective or restraining order to transport a firearm while on-duty.

Patrons: Athey, Cosgrove, Gilbert, Lingamfelter and Sherwood

02/12/08 House: Left in Militia, Police and Public Safety

HB 1290 Restorative justice programs; established.

Amends the Code of Virginia by adding in Chapter 1.1 of Title 19.2 a section numbered 19.2-11.5, relating to restorative justice programs.

Provides that courts may order offenders to be assessed for their suitability to enter a restorative justice program and, if found suitable, the offender may enter such a program. Restorative justice programs are intended to facilitate meetings or dialogues between victims of crime and the offenders, as well as other individuals and community members if appropriate, with the goal of addressing the needs of the victim and the community through agreements with the offenders addressing issues such as reparation, restitution, and community service.

Patrons: Athey, Cole, Hall, McClellan, Moran, Plum, Toscano and Watts

02/12/08 House: Left in Courts of Justice

HB 1333 Sexual battery; manner by which committed.

Amends § 18.2-67.4

Removes "force, threat, intimidation or ruse" from the elements by which sexual battery may be committed.

Patron: Landes

02/12/08 House: Left in Courts of Justice

HB 1518 Emergency protective orders; Executive Secretary to allow magistrates to use preliminary orders.

Directs the Office of the Executive Secretary of the Supreme Court to allow magistrates in Accomack County not to use emergency custody orders but to instead use preliminary protective orders.

Patron: Marsden

02/08/08 House: Continued to 2009 in Courts of Justice

SB 441 Crime victims and witnesses; prohibits inquiry of immigration status.

Amends the Code of Virginia by adding a section numbered 19.2-11.02

Provides that no law-enforcement officer or other agent of state or local government shall inquire into the immigration status of any person who reports that he is the victim of a crime or is the parent or guardian of a minor victim, or is a cooperating witness in a criminal investigation or is the parent or guardian of a minor witness. The bill does not prohibit a law-enforcement officer from inquiring into the immigration status of a victim or witness who has been arrested and charged with a criminal violation, or when such inquiry is required by federal law or is essential to the investigation or prosecution of the crime to which the person is a witness or of which the person is a victim. This bill incorporates SB 639.

Patron: Howell

03/05/08 House: VOTE: --- RECONSIDER DEFEATED (45-Y 53-N)

SJ 90 Restorative justice; Crime Commission to study.

Directs the Virginia State Crime Commission to study restorative justice and specifically, victim-offender reconciliation programs.

Patron: Norment

02/11/08 House: Referred to Committee on Rules